

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO. 5:13-CR-40-D-1

UNITED STATES OF AMERICA)
)
)
v.)
)
ANDREW WAYNE LANDELLS)

AMENDED PRELIMINARY ORDER AND JUDGMENT OF FORFEITURE

WHEREAS, pursuant to the entry of the Memorandum of Plea Agreement entered into by the defendant, Andrew Wayne Landells, DE-18], the following property is hereby forfeitable pursuant to 18 U.S.C. § 982(a)(1), to wit:

- (a) REAL PROPERTY - All those lots or parcels of land, together with their buildings, improvements, fixtures, attachments, and easements, having the street addresses as listed and being more particularly described below as:
- i. 1225 River Road, Unit 9-A Shelter Bay Club, Edgewater, NJ 07020, described in a deed recorded in Book 8643, Page 801 of the Bergen County, NJ Clerk's Office
 - ii. 2319 Stotesbury Way, Wellington, FL 33414, described in a deed recorded in Book 18605, Page 1747 of the Palm County, FL Office of the Clerk and Comptroller

- iii. 15675 Chillingsworth Court, Davie, FL 33331,
described in a deed recorded in Book 44632, Page
1966 of the Broward County, FL Commission Office of
the Deputy Clerk
- iv. 831 NW 170th Terrace, Pembroke Pines, FL 33028,
described in a deed recorded in Book 42163, Page 563
of the Broward County, FL Commission Office of the
Deputy Clerk
- v. 17625 SW 9th Street, Pembroke Pines, FL 33029,
described in a deed recorded in Book 31826, Page 282
of the Broward County, FL Commission Office of the
Deputy Clerk
- vi. 2616 E. Tamarind Avenue, West Palm Beach, FL 33405,
described in a deed recorded in Book 22222, Page
1691 of the Palm Beach County, FL Office of the
Clerk and Comptroller; and

(b) CURRENCY in the amount of \$1,000,000.00 representing
the property involved in the offense.

As to the above-described currency, as a result of an act
or omission of the defendant, it cannot be located upon the
exercise of due diligence, or subdivided without difficulty,
and, accordingly, it is ORDERED, pursuant to Title 21, United

States Code, Section 853(p), that the following other property of said defendant up to the value of the above forfeitable property (i.e. \$1,000,000.00), is forfeited, that is:

All of the lot or parcel of land, together with its buildings, improvements, fixtures, attachments, and easements, having the street addresses as listed and being more particularly described below as:

- i. Lot 219 Melody Close, Chancery Hall, Kingston 19,
St. Andrew, Jamaica

AND WHEREAS, by virtue of said Memorandum of Plea Agreement, the United States is now entitled to possession of said property, pursuant to 18 U.S.C. 982(a)(1).

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Memorandum of Plea Agreement as to the defendant, Andrew Wayne Landells, the United States is hereby AUTHORIZED to seize the above-stated property, and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n), as allowed by Fed. R. Crim. P. 32.2(b)(3). In addition, JUDGMENT is entered for the amount of the property involved in the offense, that is, \$1,000,000.00, as allowed by Fed. R. Crim. P. 32.2(b)(2)(A). In accordance with Fed. R.

Crim. P. 32.2(b)(4)(A), this Order and Judgment is final as to the defendant upon entry.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order and Judgment of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

3. With regard to the substitute property only, pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General, the United States Department of Treasury, or the Director of the U. S. Department of Homeland Security directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853, as required by Fed. R. Crim. P. 32.2(c).

5. That to the extent said substitute property is adequate to substitute for the judgment, the United States shall promptly execute and file a Satisfaction of Judgment to the extent it is so satisfied.

SO ORDERED. This 18 day of November, 2014.

J. Dever
JAMES C. DEVER, III
Chief United States District Judge